

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
PETITION

DO NOT WRITE IN THIS SPACE

Case 1
11HRC-6679Date Filed
9-17-07

INSTRUCTIONS: Submit an original and 4 copies of this Petition to the NLRB Regional Office in the Region in which the employer concerned is located. If more space is required for any one item, attach additional sheets, numbering item accordingly.

The Petitioner alleges that the following circumstances exist and requests that the National Labor Relations Board proceed under its proper authority pursuant to Section 9 of the National Labor Relations Act.

1. PURPOSE OF THIS PETITION (If box RC, RM, or RD is checked and a charge under Section 8(b)(7) of the Act has been filed involving the Employer named herein, the statement following the description of the type of petition shall not be deemed made.) (Check One)

- ☒ **RC-CERTIFICATION OF REPRESENTATIVE** - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees.
- ☐ **RM-REPRESENTATION (EMPLOYER PETITION)** - One or more individuals or labor organizations have presented a claim to Petitioner to be recognized as the representative of employees of Petitioner.
- ☐ **RD-DECERTIFICATION (REMOVAL OF REPRESENTATIVE)** - A substantial number of employees assert that the certified or currently recognized bargaining representative is no longer their representative.
- ☐ **UD-WITHDRAWAL OF UNION SHOP AUTHORITY (REMOVAL OF OBLIGATION TO PAY DUES)** - Thirty percent (30%) or more of employees in a bargaining unit covered by an agreement between their employer and labor organization desire that such authority be rescinded.
- ☐ **UC-UNIT CLARIFICATION** - A labor organization is currently recognized by Employer, but Petitioner seeks clarification of placement of certain employees: (Check One) ☐ in unit not previously certified. ☐ in unit previously certified in Case No. _____
- ☐ **AC-AMENDMENT OF CERTIFICATION** - Petitioner seeks amendment of certification issued in Case No. _____
Attach statement describing the specific amendment sought.

2. Name of Employer
VOUGHT AIRCRAFT INDUSTRIES

Employer Representative to contact
MARK DICKEY, SITE MANAGER

Telephone Number
(843) 789-8000

3. Address(es) of Establishment(s) involved (Street and number, city, State, ZIP code)
3455 AIRFRAME DR., NORTH CHARLESTON, SC 29418-6953

Telecopier Number (Fax)
(843) 789-8457

4a. Type of Establishment (Factory, Mine, Wholesaler, etc.)
FACTORY

4b. Identify principal product or service
AIRCRAFT MANUFACTURER

5. Unit Involved (In UC petition, describe present bargaining unit and attach description of proposed clarification.)

Included
ALL FULL-TIME AND REGULAR PART-TIME PRODUCTION AND MAINTENANCE EMPLOYEES EMPLOYED BY THE EMPLOYER AT ITS NORTH CHARLESTON, SC FACILITY INCLUDING ALL ASSEMBLERS, TOOL & DIE TOOLMAKERS, INSPECTORS, BONDERS, MILLWRIGHTS, OPERATORS, MAINTENANCE MECHANICS AND NDI TECHNICIANS WORKING ON THE BOEING 787 DREAM LINER PROJECT.

6a. Number of Employees in Unit:
Present
97
Proposed (By UC/AC)

Excluded.
ALL OFFICE CLERICAL EMPLOYEES, PROFESSIONAL EMPLOYEES, MANAGERIAL EMPLOYEES, GUARDS AND SUPERVISORS AS DEFINED IN THE ACT.

6b. Is this petition supported by 30% or more of the employees in this Unit?
☒ Yes ☐ No

(If you have checked box RC in 1 above, check and complete EITHER item 7a or 7b, whichever is applicable)

*Not applicable in RM, UC, and AC

7a. ☐ Request for recognition as Bargaining Representative was made on (Date) _____ Petition will serve as request for recognition _____ and Employer declined recognition on or about (Date) _____ (If no reply received, so state).

7b. ☐ Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.

8. Name of Recognized or Certified Bargaining Agent (If none, so state).
Affiliation

Address, Telephone No. and Telecopier No. (Fax).
Date of Recognition or Certification

9. Expiration Date of Current Contract, if any (Month, Day, Year)

10. If you have checked box UD in 1 above, show here the date of execution of agreement granting union shop (Month, Day and Year) n/a

11a. Is there now a strike or picketing at the Employer's establishment(s) involved?
Yes _____ No X

11b. If so, approximately how many employees are participating?
n/a

11c. The Employer has been picketed by or on behalf of (Insert Name) _____ n/a a labor organization, of (Insert Address) _____ n/a Since (Month, Day, Year) _____ n/a

12. Organizations or individuals other than Petitioner (and other than those named in items 8 and 11c), which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in unit described in item 5 above. (If none, so state)

Name	Affiliation	Address	Date of Claim n/a
			Telecopier No. (Fax)

13. Full name of party filing petition (If labor organization, give full name, including local name and number)
INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS, AFL-CIO

14a. Address (street and number, city, state, and ZIP code)
1111 W. MOCKINGBIRD LANE, SUITE 1357, DALLAS, TX 75247

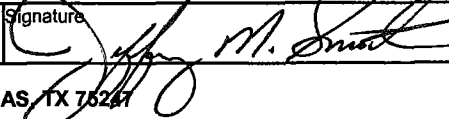
14b. Telephone No.
(214) 638-6543

14c. Telecopier No. (Fax)
(214) 638-6092

15. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)
INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS, AFL-CIO

I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief

Name (Print)
JEFFERY M. SMITH

Signature


Title (if any)
GRAND LODGE REPRESENTATIVE

Address (street and number, city, state, and ZIP code)
1111 W. MOCKINGBIRD LANE, SUITE 1357, DALLAS, TX 75247

Telephone No. **(214) 638-6543**

Telecopier No. **(214) 637-2803**



United States Government

NATIONAL LABOR RELATIONS BOARD

Region 11

P. O. Box 11467

Winston-Salem, NC 27116-1467

Telephone: 336/631-5201

Fax: 336/631-5210

www.nlrb.gov

4035 University Pkwy., Suite 200

Winston-Salem, NC 27106-3325

September 17, 2007

Re: Vought Aircraft Industries
Case No. 11-RC-6679

Mr. Mark Dickey, Site Manager
Vought Aircraft Industries
3455 Airframe Dr
North Charleston, SC 29418

Mr. Jeffery Smith, Grand Lodge Representative
International Association of Machinists
and Aerospace Workers, AFL-CIO
1111 W. Mockingbird Lane, Suite 1357
Dallas, TX 75247

Dear Mr. Dickey and Mr. Smith:

Enclosed is a copy of a Petition for Certification of Representative, pursuant to the provisions of the National Labor Relations Act, which has been filed with this office. Also enclosed is a copy of "Parties Involved in a Representation Petition," Form NLRB-4812, explaining the manner in which representation petitions are processed by this Agency.

The National Labor Relations Act requires the prompt resolution of questions concerning representation. Because this is an integral part of our mission, these cases are prioritized and resolved as expeditiously as possible.

If the Board has jurisdiction, the parties may execute a standard agreement for an election fixing the date, time and place and the classifications to be included in the appropriate unit. All such elections are conducted by an agent of the Board. Election procedures are outlined in the enclosed pamphlet. In the event there is no agreement for an election, a formal investigatory hearing may be held before a hearing officer of the Board.

Consistent with the Agency's efforts to ensure the expeditious resolution of questions concerning representation, please be advised a hearing has been scheduled for September 27, 2007, as set forth in the enclosed Notice of Hearing. Requests for the postponement of the hearing will be granted only for good cause and consistent with the requirements set forth in Form NLRB-4338, which is enclosed with this letter. For purposes of Section 102.114(d) of the Board's Rules and Regulations, I am granting advance permission to the parties to file postponement requests with me by facsimile transmission. The hearing, once commenced, will be conducted on consecutive days, until completed, unless the most compelling circumstances warrant otherwise. I advise the parties of these requirements at this time so that they may begin their preparations for them.

Attention is called to your right, and the right of any party, to be represented by counsel or another representative in any proceeding before the National Labor Relations Board. In the event you choose to have a representative appear on your behalf, please have your representative complete "Notice of Appearance," Form NLRB-4701. If you desire to designate a representative to receive all documents mailed by this office in this matter, you are requested to complete "Notice of Designation of Representative as Agent for Service of Documents," Form NLRB-4813. Both forms should be returned to this office as soon as possible. In view of our policy of processing these cases expeditiously, I anticipate that in the event you exercise your right to be represented by counsel or another representative you will do so promptly.

Prior to conducting a formal hearing, the staff member named below, who has been assigned to this matter, will be in contact with the parties to explore the issues and, if appropriate, to obtain an election agreement. If these contacts do not result in an election agreement, we may conduct an informal conference before the scheduled formal hearing. At this conference, the Board agent will explore all of the issues raised by the petition in an effort either to obtain an election agreement or narrow the issues which will be litigated at the hearing. It has been our experience that these informal conferences can be extremely useful in helping us in these regards, and that it is in the mutual interest of all parties, as well as the Agency, to explore fully all potential areas of agreement in order to eliminate or limit, to the extent possible, the significant costs associated with litigation. I encourage the parties to share all available information at this conference.

In order to assist us in our investigation, please submit the following information immediately:

1. Commerce information, which may be furnished on the enclosed "Questionnaire on Commerce Information," Form NLRB-5081. An extra copy of the form is enclosed for your files.
2. An alphabetized list of employees described in the petition together with their job classifications, for the payroll period immediately preceding the date of this letter. This list is to be used to resolve possible eligibility and unit questions as well as to determine the adequacy of the Petitioner's showing of interest.
3. Copies of correspondence and existing or recently expired contracts, if any, covering employees in the unit alleged in the petition. Names of any other labor organization(s) claiming to represent any of the employees in the proposed unit.
4. Your position as to the appropriateness of the unit.

It has been our experience that the exchange of information made possible by providing the list of employees requested in paragraph 2 above to all parties to the case is an excellent aid in resolving many of the eligibility and unit questions that arise during case processing. Accordingly, I encourage you both to provide the list as requested in paragraph 2, and to permit me to provide the list to the other parties. Please state in your return correspondence whether you intend to provide the list and whether I may provide it to the other parties.

Please be advised that in addition to the list of employees requested in paragraph 2 above, in the event an election is agreed to or directed in this case, a list of the full names and addresses of all the eligible voters must be filed by the employer with the undersigned, who will in turn make it available to all parties to the case. The list must be furnished to the undersigned within seven (7) days of the direction of election or approval of an agreement to conduct an election. I am advising you now of this requirement so that you have ample time to prepare for the eventuality that such list may become necessary.

It has been our experience that by the time a petition such as this one has been filed, employees may also have questions about what is going on and what may happen. At this stage in the handling of this case, we, of course, do not know what disposition will be made of the petition, but experience tells us that an explanation of rights, responsibilities and Board procedures can be helpful to your employees. The Board believes that employees should have readily available to them information about their rights and the proper conduct of employee representation elections. At the same time, employers and labor organizations should be apprised of their responsibilities to refrain from conduct which could impede employees' freedom of choice. Accordingly, you are requested to post the enclosed Notice to Employees in conspicuous places in areas where employees such as those described in the enclosed petition work. Please advise me where in your facility you have posted the notice. Copies of this notice are also being made available to the labor organization(s) involved. In the event an election is not conducted, pursuant to this petition, you are requested to remove the posted notice. In addition, I am enclosing a pamphlet entitled, "Your Government Conducts an Election," for distribution to employees and to supervisory personnel. Additional copies of the pamphlet will be furnished upon request.

Please be further advised that under the Freedom of Information Act, unfair labor practice charges and representation petitions are subject to prompt disclosure to members of the public upon request. In this regard, you may have received or may receive a solicitation by organizations or persons who have obtained public information concerning this matter and who seek to represent you before our Agency. You may be assured that no organization

or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board; their information regarding this matter is only that which must be made available to any member of the public.

Effective August 5, 1987, Section 103.20 of the Board's Rules and Regulations was amended. A copy of the amended Section is enclosed.

Customer service standards concerning the processing of representation cases have been published by the Agency and are available on the Agency's website (www.nlrb.gov) under Public Notices.

Investigation of this matter has been assigned to the staff member named below. If you have any questions, do not hesitate to communicate with the Board agent. Your cooperation in this matter will be appreciated.

Very truly yours,

Willie L. Clark, Jr.
Regional Director

Board Agent: Jodi S. Cunningham Telephone No.: (336)631-5244

E-Mail Jodi.Cunningham@nlrb.gov
Address: _____

Attachments: Petition
Notice
NLRB Forms 4812, 4338, 4701, and 4813
Notice of Hearing with NLRB Form 4669 attached
Commerce Questionnaire (NLRB Form 5081) [Employer only]
Notice to Employees (NLRB Form 5492)
"Your Government Conducts an Election" pamphlet
Notice Posting Rule (Amended Section 103.20)
Attachment

cc:

Allison Beck, Esq.
International Association of Machinists
and Aerospace Workers, AFL-CIO
9000 Machinists Place, Room 202
Upper Marlboro, MD 20772

Mr. Tommy C. Daves, Grand Lodge Rep.
International Association of Machinists
and Aerospace Workers, AFL-CIO
1111 W. Mockingbird Lane, Suite 1357
Dallas, TX 75247



United States Government

NATIONAL LABOR RELATIONS BOARD

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4035 University Pkwy., Suite 200

Winston-Salem, NC 27106-3325

September 17, 2007

Re: Vought Aircraft Industries
Case No. 11-RC-6679

Mr. Mark Dickey, Site Manager
Vought Aircraft Industries
3455 Airframe Dr
North Charleston, SC 29418

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Very truly yours,

Willie L. Clark, Jr.
Regional Director

Board Agent: Jodi S. Cunningham Telephone No.: (336)631-5244

E-Mail Jodi.Cunningham@nlrb.gov
Address: _____

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Notice to Employees (NLRB Form 5492)
"Your Government Conducts an Election" pamphlet
Notice Posting Rule (Amended Section 103.20)
Attachment

cc:

Allison Beck, Esq.
International Association of Machinists
and Aerospace Workers, AFL-CIO
9000 Machinists Place, Room 202
Upper Marlboro, MD 20772

Mr. Tommy C. Daves, Grand Lodge Rep.
International Association of Machinists
and Aerospace Workers, AFL-CIO
1111 W. Mockingbird Lane, Suite 1357
Dallas, TX 75247

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

Vought Aircraft Industries

Employer

and

International Association of Machinists and Aerospace Workers,
AFL-CIO

Petitioner

CASE NO. 11-RC-6679

NOTICE OF REPRESENTATION HEARING

The Petitioner, above named, having heretofore filed a Petition pursuant to Section 9(c) of the National Labor Relations Act, as amended, 29 U.S.C. Sec. 151, et. seq., copy of which Petition is hereto attached, and it appearing that a question affecting commerce has arisen concerning the representation of employees described by such Petition,

YOU ARE HEREBY NOTIFIED that, pursuant to Sections 3(b) and 9(c) of the Act, on **September 27, 2007, and consecutive days thereafter until concluded, at 10:00 a.m., in the Paris Favors, Jr. Hearing Room, National Labor Relations Board, Republic Square, Suite 200, 4035 University Parkway, Winston-Salem, North Carolina,**

a hearing will be conducted before a hearing officer of the National Labor Relations Board upon the question of representation affecting commerce which has arisen, at which time and place the parties will have the right to appear in person or otherwise, and give testimony. (*Form NLRB-4669, Statement of Standard Procedures in Formal Hearings Held Before the National Labor Relations Board Pursuant to Petitions Filed Under Section 9 of The National Labor Relations Act, as Amended, is attached.*)

Signed at Winston-Salem, North Carolina, on the 17th day of September 2007.



Willie L. Clark, Jr.

Willie L. Clark, Jr., Regional Director, Region 11
National Labor Relations Board



United States Government

NATIONAL LABOR RELATIONS BOARD

Region 11

P. O. Box 11467

Winston-Salem, NC 27116-1467

Telephone: 336/631-5201

Fax: 336/631-5210

www.nlrb.gov

4035 University Pkwy., Suite 200

Winston-Salem, NC 27106-3325

October 3, 2007

Re: Vought Aircraft Industries
Case No. 11-RC-6679

Mr. Mitch Camp
HR Manager
Vought Aircraft Industries
3455 Airframe Dr, Bldg 100
North Charleston, SC 29418

Mr. Bobby Sapp
Grand Lodge Representative
International Association of Machinists and Aerospace
Workers, AFL-CIO
1111 W. Mockingbird Lane, Suite 1357
Dallas, TX 75247

Gentlemen or Ladies:

This letter will confirm election arrangements made in connection with the above-captioned case.

The election will be held on the date and at the time and place described in the attached Stipulated Election Agreement approved by the undersigned on September 27, 2007, among the employees who were employed during the payroll period ending September 23, 2007.

The Company will provide three chairs and one table. The Board agent will provide the voting booth and ballot box.

I wish to point out to the parties that in the event persons not presently employed appear at the Company asserting the right to vote, they must be admitted to the polling place at any time the poll is open to confer with the Board agent in charge.

All parties to the election may appoint one observer to assist the Board agent during the election. The observers will be selected from the Company's non-supervisory personnel. By ruling of the Board, discharged employees as to whom unfair labor practice charges have been filed are deemed to be employees for this purpose. Voters will release themselves to vote and may vote at any time the poll is open.

A preelection conference will be held by the Board agent at 1:00 p.m. on October 26, 2007, 1st Floor Break Room. The purpose of this meeting is to instruct the observers in their duties and responsibilities in the conduct of the election and to inspect the facilities and general layout of the voting area. Representatives of the parties are expected to attend this meeting.

In order to assure that all eligible voters may have the opportunity to be informed of the issues in the exercise of their statutory right to vote, all parties to the election should have access to a list of voters and their addresses that may be used to communicate with them. *Excelsior Underwear*, 156 NLRB 1236 (1966); *NLRB v. Wyman-Gordon Co.*, 394 U.S. 759 (1969). Accordingly, it is hereby directed that an election eligibility list, containing the full names and addresses of all the eligible voters, must be filed by the Employer with the Regional Director for Region 11 within 7 days of the date of my approval of the attached agreement. *North Macon Health Care Facility*, 315 NLRB 359, 361 (1994). The list must be of sufficiently large type to be clearly legible. I shall, in turn, make this list available to all parties to the election. In order to be timely filed, such list must be received in this office on or before **October 4, 2007**. No extension of time to file this list may be granted except in extraordinary circumstances. Failure to comply with this requirement shall be grounds for setting aside the election whenever proper objections are filed. The list may be submitted by facsimile transmission. Since the list is to be made available to all parties to the election, please furnish a total of **two** copies, unless the list is submitted by facsimile, in which case no copies need be submitted. To speed preliminary checking and the voting process itself, the names should be alphabetized (overall or by department, etc.).

Persons not within the appropriate unit as found in the agreement must not be included on the list. The eligibility list referred to is the one that will usually be used by the Board agent conducting the election.

Unless we are advised otherwise, the list will be mailed to the parties at the addresses as shown on the petition.

Notices of Election will be forwarded to the Employer for posting. The Employer is reminded that Section 103.20 of the Board's Rules and Regulations requires employers to post the Board's official Notice of Election in conspicuous places at least three (3) full days prior to 12:01 a.m. of the day of the election and to notify the Board at least five (5) working days prior to the commencement of the election if it has not received copies of the Notice of Election for posting. Failure to notify the Board of nonreceipt of the Notice of Election estops employers from filing objections based on nonposting of the Notice of Election. You should be aware that the Board has interpreted this five (5)-day requirement as requiring an employer to notify the Regional Office at least five (5) full working days prior to 12:01 a.m. of the day of the election that it has not received copies of the Notice of Election. See *Club Demonstration Services*, 317 NLRB No. 52 (1995).

If any party has questions about the election or the election arrangements, please contact Jodi Cunningham at 336/631-5244.

Very truly yours,


Willie L. Clark, Jr.
Regional Director

cc: Joseph C. Ragaglia, Esq.
Morgan, Lewis & Bockius, LLP
1701 Market Street
Philadelphia, PA 19103-2921

Allison Beck, Esq.
International Association of Machinists and
Aerospace Workers, AFL-CIO
9000 Machinists Place, Room 202
Upper Marlboro, MD 20772

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1111 W. Mockingbird Lane, Suite 1357
Dallas, TX 75247

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
STIPULATED ELECTION AGREEMENT

The parties agree that a hearing is waived, that approval of this Agreement constitutes withdrawal of any notice of hearing previously issued in this matter, that the petition is amended to conform to this Agreement, and further **AGREE AS FOLLOWS:**

1. SECRET BALLOT. A secret-ballot election shall be held under the supervision of the Regional Director in the unit defined below at the agreed time and place, under the Board's Rules and Regulations.

2. ELIGIBLE VOTERS. The eligible voters shall be unit employees employed during the designated payroll period for eligibility, including employees who did not work during that period because they were ill, on vacation, or were temporarily laid off. Employees engaged in an economic strike, who have retained their status as strikers and who have not been permanently replaced are also eligible to vote. In addition, employees engaged in an economic strike which commenced less than 12 months before the election date, who have retained their status as strikers but who have been permanently replaced, as well as their replacements are eligible to vote. Employees who are otherwise eligible but who are in the military services of the United States may vote if they appear in person at the polls. Ineligible to vote are 1) employees who have quit or been discharged for cause after the designated payroll period for eligibility, 2) employees engaged in a strike who have been discharged for cause since the commencement thereof and who have not been rehired or reinstated before the election date, and 3) employees engaged in an economic strike which began more than 12 months before the election date who have been permanently replaced. The employer shall provide to the Regional Director, within seven (7) days after the Regional Director has approved this Agreement, an election eligibility list containing the full names and addresses of all eligible voters. **Excelsior Underwear, Inc., 156 NLRB 1236; North Macon Health Care Facility, 315 NLRB 359.**

3. NOTICE OF ELECTION. Copies of the Notice of Election shall be posted by the Employer in conspicuous places and usual posting places easily accessible to the voters at least three (3) full working days prior to 12:01 a.m. of the day of the election. As soon as the election arrangements are finalized, the Employer will be informed when the Notices must be posted in order to comply with the posting requirement. Failure to post the Election Notices as required shall be grounds for setting aside the election whenever proper and timely objections are filed.

4. ACCOMMODATIONS REQUIRED. All parties should notify the Regional Director as soon as possible of any voters, potential voters, or other participants in this election who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.603, and who in order to participate in this election need appropriate auxiliary aids, as defined in 29 C.F.R. 100.603, and request the necessary assistance.

5. OBSERVERS. Each party may station an equal number of authorized, nonsupervisory-employee observers at the polling places to assist in the election, to challenge the eligibility of voters, and to verify the tally.

6. TALLY OF BALLOTS. Upon conclusion of the election, the ballots will be counted and a tally of ballots prepared and immediately made available to the parties.

7. POSTELECTION AND RUNOFF PROCEDURES. All procedures after the ballots are counted shall conform with the Board's Rules and Regulations.

8. RECORD. The record in this case shall include this Agreement and be governed by the Board's Rules and Regulations.

(Over)

9. **COMMERCE.** The Employer is engaged in commerce within the meaning of Section 2(6) and (7) of the National Labor Relations Act and a question affecting commerce has arisen concerning the representation of employees within the meaning of Section 9(c). (Insert commerce facts.)

Vought Aircraft Industries, Inc. is a Delaware corporation, with a facility located in North Charleston, South Carolina, where it is engaged in the design, manufacture and non-retail sale of fuselage subassemblies. During the preceding 12 month period the Employer shipped goods and materials valued in excess of \$50,000 directly to points located outside the State of South Carolina. During the preceding 12 month period, the Employer received goods and materials valued in excess of \$50,000 directly from points located outside the State of South Carolina.

10. **WORDING ON THE BALLOT.** When only one labor organization is on the ballot, the choice shall be "Yes" or "No". If more than one labor organization is on the ballot, the choices shall appear as follows, reading left to right or top to bottom. (If more than one labor organization is on the ballot, any labor organization may have its name removed by the approval of the Regional Director of a timely written request.)

First.

Second.

Third.

11. **PAYROLL PERIOD FOR ELIGIBILITY - THE PERIOD ENDING** September 23, 2007

12. **DATE, HOURS, AND PLACE OF ELECTION.**

Date: October 26, 2007
Times: 1:30 p.m. to 3:30 p.m.
5:30 p.m. to 7:30 p.m.
Place: Break Room on First Floor

Date: October 27, 2007
Time: 4:00 p.m. to 6:00 p.m.
Place: Break Room on First Floor

13. **THE APPROPRIATE COLLECTIVE-BARGAINING UNIT.**

All full-time and regular part-time production and maintenance employees, including assemblers, tool & die toolmakers, inspectors, bonders, millwrights, operators, maintenance mechanics, NDI technicians, and quality inspectors and assemblers in the LIMA class employed by the Employer at its North Charleston, South Carolina facility; but excluding all other employees, office clerical employees, managerial employees and guards, professional employees and supervisors as defined in the Act.

Vought Aircraft Industries, Inc.

International Association of Machinists and Aerospace Workers, AFL-CIO

By (Employer)
/s/ Mitch Camp 9-27-07
(Name) (Date)
HR Manager
(Title)

By (Labor Organization)
/s/ Bobby Sapp 9/26/2007
(Name) (Date)
Grand Lodge Representative
(Title)

Recommended:

/s/ Jodi Cunningham 9/27/07
(Board Agent) (Date)
Date approved 9/27/07

By (Labor Organization)
(Name) (Date)
(Title)

Regional Director
National Labor Relations Board

Case 11-RC-6679

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

Vought Aircraft Industries

Employer

and

International Association of Machinists and Aerospace
Workers, AFL-CIO

Petitioner

TYPE OF ELECTION

(CHECK ONE)

- ☐ CONSENT
☒ STIPULATED
☐ RD DIRECTED
☐ BOARD DIRECTED

(ALSO CHECK BOX

BELOW WHEN APPROPRIATE)

☐ 8(b)(7)

CASE 11-RC-6679

CERTIFICATION OF REPRESENTATIVE

An election has been conducted under the Board's Rules and Regulations. The Tally of Ballots shows that a collective-bargaining representative has been selected. No timely objections have been filed.

As authorized by the National Labor Relations Board, it is certified that a majority of the valid ballots have been cast for International Association of Machinists and Aerospace Workers, AFL-CIO, and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit.

UNIT: All full-time and regular part-time production and maintenance employees, including assemblers, tool & die toolmakers, inspectors, bonders, millwrights, operators, maintenance mechanics, NDI technicians, and quality inspectors and assemblers in the LIMA class employed by the Employer at its North Charleston, South Carolina facility; but excluding all other employees, office clerical employees, managerial employees and guards, professional employees and supervisors as defined in the Act.

Signed at Winston-Salem, NC

On the 8th day of

November 2007

Willie Clark Jr.
Regional Director, Region 11
National Labor Relations Board

UNITED STATES GOVERNMENT
National Labor Relations Board



Memorandum

DATE: November 8, 2007

TO : Federal Mediation and Conciliation Service
Mediation Information Services, Notice Processing

FROM : NLRB, Region 11

SUBJECT: Initial Certification of Representative and Related
Information

Attached hereto is a Certification of Representative which was recently issued by this office. As requested, additional information related to this certification is as follows:

Case Name: **Vought Aircraft Industries**
Case No 11-RC-6679

1. Filing date of petition: September 17, 2007
2. Size of bargaining unit: 130
3. Case numbers of all open related ULP cases during the period the R case was pending:

None

4. Names, addresses, and telephone numbers of parties:

See attached Case Service Sheet

OCT-23-2007 04:50

P. 07

(b) (6), (b) (7)(C)

UNITED STATES GOVERNMENT
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 11

VOUGHT AIRCRAFT INDUSTRIES, INC.

Employer

And

Case 11-RC-6679

INTERNATIONAL ASSOCIATION OF MACHINISTS
AND AEROSPACE WORKERS, AFL-CIO

Petitioner

STIPULATION AND WAIVER

In order to remedy the deficiency in the Notice of Election, the Employer and the Petitioner hereby stipulate to amend the voting time in the above captioned case to conform with the Notice of Election as follows: On October 26, 2007 the first polling time will begin at 1 p.m. and end at 3:30 p.m. The remaining polling times, as agreed to in the Stipulated Election Agreement and as indicated in the Notice of Election, will remain the same.

Both the Employer and the Petitioner further stipulate to waive their rights to file objections pursuant to Section 102.69 of the Board's Rules and Regulations concerning only the deficiency of the Notice of Election as set forth above and to a Regional Director's report or supplemental decision, to file exceptions to a Regional Director's report or a request for review of a supplemental decision and to any right to a hearing in the matter or to a Board decision. *[Signature]*

[Signature]
Employer10/24/07
date:_____
Petitioner_____
date

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

VOUGHT AIRCRAFT INDUSTRIES

Employer

and

INTERNATIONAL ASSOCIATION OF MACHINISTS
AND AEROSPACE WORKERS, AFL-CIO

Petitioner

Date Filed

Case No. 11-RC-6679

9/17/07

Date Issued October 27, 2007

Type of Election
(Check one:)

- ☒ Stipulation
☐ Board Direction
☐ Consent Agreement
☐ RD Direction
Incumbent Union (Code)

(If applicable check
either or both:)

- ☐ 8(b) (7)
☐ Mail Ballot

N. Charleston, SC

TALLY OF BALLOTS

The undersigned agent of the Regional Director certifies that the results of the tabulation of ballots cast in the election held in the above case, and concluded on the date indicated above, were as follows:

1. Approximate number of eligible voters 130
2. Number of Void ballots 0
3. Number of Votes cast for INTERNATIONAL ASSOCIATION OF MACHINISTS
AND AEROSPACE WORKERS, AFL-CIO 67
4. Number of Votes cast for XXXXXXXX
5. Number of Votes cast for XXXXXXXX
6. Number of Votes cast against participating labor organization(s) 60
7. Number of Valid votes counted (sum of 3, 4, 5, and 6) 127
8. Number of Challenged ballots 0
9. Number of Valid votes counted plus challenged ballots (sum of 7 and 8) 127
10. Challenges are (not) sufficient in number to affect the results of the election.
11. A majority of the valid votes counted plus challenged ballots (Item 9) has (not) been cast for INTERNATIONAL
ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS, AFL-CIO

For the Regional Director

[Signature]

The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally.

For VOUGHT AIRCRAFT INDUSTRIES

For INTERNATIONAL ASSOCIATION OF
MACHINISTS AND AEROSPACE WORKERS,
AFL-CIO

For

For



United States Government

NATIONAL LABOR RELATIONS BOARD

Region 11

P. O. Box 11467

Winston-Salem, NC 27116-1467

Telephone: 336/631-5201

Fax: 336/631-5210

www.nlrb.gov

4035 University Pkwy., Suite 200

Winston-Salem, NC 27106-3325

October 16, 2007

Re: Vought Aircraft Industries
Case No. 11-RC-6679

Mr. Mitch Camp, HR Manager
Vought Aircraft Industries
3455 Airframe Dr, Bldg 100
North Charleston, SC 29418

Dear Mr. Camp:

Enclosed are **10** Notices of Election for posting in conspicuous places that are easily accessible to employees. Extra copies have been provided in the event a Notice is defaced and requires replacement. Please provide confirmation that the Notices have been posted.

You are reminded that Section 103.20 of the Board's Rules and Regulations requires employers to post the Board's official Notice of Election in conspicuous places at least three (3) full working days, not including Saturdays, Sundays, and holidays, prior to 12:01 a.m. of the day of the election. A copy of this rule was served upon the Employer with the filing of the petition.

Thank you for your cooperation.

Very truly yours,

A handwritten signature in black ink, reading "Willie L. Clark, Jr.", is positioned above the typed name.

Willie L. Clark, Jr.
Regional Director

Enclosure

WLC/sg

cc:

Joseph C. Ragaglia, Esq.
Morgan, Lewis & Bockius, LLP
1701 Market Street
Philadelphia, PA 19103-2921

(1) Mr. Bobby Sapp, Grand Lodge (1)
Representative
International Association of Machinists
and Aerospace Workers, AFL-CIO
1111 W. Mockingbird Lane, Suite 1357
Dallas, TX 75247

Allison Beck, Esq.
International Association of Machinists
and Aerospace Workers, AFL-CIO
9000 Machinists Place, Room 202
Upper Marlboro, MD 20772

(1)

ERICA ★ NATIONAL LABO CE OF ELEC

VOTING UNIT FOR CERTAIN EMPLOYEES OF Vought Aircraft Industries

11-RC-6679

THOSE ELIGIBLE TO VOTE:

All full-time and regular part-time production and maintenance employees, including assemblers, tool & die toolmakers, inspectors, bonders, millwrights, operators, maintenance mechanics, NDI technicians, and quality inspectors and assemblers in the LIMA class employed by the Employer at its North Charleston, South Carolina facility during the payroll period ending September 23, 2007.

THOSE NOT ELIGIBLE TO VOTE:

All other employees, office clerical employees, managerial employees and guards, professional employees and supervisors as defined in the Act.

TIME AND PLACE OF ELECTION

DATES: Friday, October 26, 2007

TIMES: 1:00 p.m. to 3:30 p.m.
5:30 p.m. to 7:30 p.m.
4:00 p.m. to 6:00 p.m.

Saturday, October 27, 2007

PLACE: Break Room on First Floor

VOTERS WILL RELEASE THEMSELVES TO VOTE AND MAY VOTE AT ANY TIME THE POLL IS OPEN.

ALL BALLOTS FOR ALL VOTING SESSIONS WILL BE MINGLED AND COUNTED AT THE VOTING PLACE IMMEDIATELY AFTER THE CLOSE OF THE LAST VOTING SESSION ON OCTOBER 27, 2007.



UNITED STATES OF AMERICA
National Labor Relations Board
FORM NLRB-707N2 (RC, RM, RD CASES) (4-84)



OFFICIAL SECRET BALLOT

For certain employees of
Vought Aircraft Industries

Do you wish to be represented for purposes of collective bargaining by -
International Association of Machinists and Aerospace Workers, AFL-CIO?

MARK AN "X" IN THE SQUARE OF YOUR CHOICE

